

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE OHIO CASUALTY INSURANCE
COMPANY,

Plaintiff,

v.

D & R EXCAVATING, INC., a Washington
corporation; DOUGLAS D. HOFFMAN and
SUSAN K. HOFFMAN, and the marital
community composed thereof; CPM
DEVELOPMENT CORP. dba ICON
MATERIALS, a Washington corporation;
and KING COUNTY, a political subdivision
of the State of Washington,

Defendants.

CPM DEVELOPMENT CORP. dba ICON
MATERIALS, a Washington corporation,

Cross-Claimant,

v.

D & R EXCAVATING, INC., a
Washington corporation,

Cross-Defendant.

No.: 2:22-cv-00137-RAJ

RULE 41(A) DISMISSAL OF
DEFENDANT KING COUNTY

1 Plaintiff The Ohio Casualty Insurance Company (“Ohio”) hereby gives notice
2 pursuant to Rule 41(a)(1)(A), Fed. R. Civ. P., of voluntary dismissal of its claims against
3 Defendant King County without prejudice. Ohio intends to continue this action against all
4 other defendants.

5 DATED: February 8, 2023

6 BULLIVANT HOUSER BAILEY PC

7
8 By /s/ Michael A. Guadagno

9 Michael A. Guadagno, WSBA #34633

10 E-mail: michael.guadagno@bullivant.com

11 Jared F. Kiess, WSBA #54532

12 E-mail: jared.kiess@bullivant.com

13 Daniel Rhim, WSBA #58302

14 E-mail: daniel.rhim@bullivant.com

15 Attorneys for Plaintiff The Ohio Casualty
16 Insurance Company
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF e-filing system which will send notification of such filing to the persons listed below:

Lawrence B. Linville
 LINVILLE LAW FIRM, PLLC
 800 5th Ave, Ste 3850,
 Seattle, WA 98104
LLinville@LinvilleLawFirm.com

☐
☐
☐
☒

via hand delivery.
 via first class mail.
 via email
 CM/ECF E-service

*Attorney for Defendants D & R Excavating, Inc.,
 Douglas D. Hoffmann, and Susan K. Hoffmann*

Timothy Earl
 Yaniv Newman,
 SULLIVAN HILL REZ & ENGEL, APLC
 600 B Street, 17th Floor
 San Diego, CA 92101
earl@sullivanhill.com
newman@sullivanhill.com

☐
☐
☐
☒

via hand delivery.
 via first class mail.
 via email
 CM/ECF E-service

*Attorney for Defendant and Cross-Claimant
 CPM Development Corp. dba Icon Materials*

Jerry Taylor
 Senior Deputy Prosecuting Attorney for King
 County
 1191 Second Avenue, Suite 1700
 Seattle, WA 98101
jerry.taylor@kingcounty.gov

☐
☐
☐
☒

via hand delivery.
 via first class mail.
 via email
 CM/ECF E-service

Attorney for Defendant King County

Dated: February 8, 2023.

/s/ Kristin Anderson
 Kristin Anderson, Legal Assistant